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FEE TRANSMITTAL

For FY 2006

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 500.00

Complete if Known

Application Number 09/577,224
Filing Date May 23, 2000
First Named Inventor LUNDY M. LEWIS
Examiner Name David B. England
Art Unit 2143
Attorney Docket No. 019287-0317296

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):
☒ Deposit Account Deposit Account Number: 033975 Deposit Account Name: PILLSBURY WINTHROP SHAW PITTMAN LLP

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1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	0.00
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims	Extra Claims	Fee (\$)
- 20 or HP =	x	=
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims	Extra Claims	Fee (\$)
- 3 or HP =	x	=
HP = highest number of independent claims paid for, if greater than 3.		

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$)

- 100 = / 50 = (round up to a whole number) x 250.00 = Fee Paid (\$)

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Brief in support of appeal

Fees Paid (\$)

500.00

SUBMITTED BY

Signature [Signature] Registration No. 58780 Telephone 703.770.7541
Name (Print/Type) Syed Jafar Ali (Attorney/Agent) Date January 3, 2007

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Appeal Brief Under 37 C.F.R. § 41.37
Attorney Docket No.: 019287-0317296
Application Serial No.: 09/577,224

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(s) : Lundy LEWIS
SERIAL NUMBER : 09/577,224
FILING DATE : May 23, 2000
FOR : METHOD AND APPARATUS FOR REACTIVE AND DELIBERATIVE SERVICE LEVEL MANAGEMENT (SLM)

CONFIRMATION No.: 4214
EXAMINER: David B. England
ART UNIT: 2143

**Appellant's Brief on Appeal
Under 37 C.F.R. § 41.37**

Mail Stop Appeal Brief - Patents

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Further to the Notice of Appeal dated **November 1, 2006**, Appellant hereby submits Appellant's Brief of Appeal pursuant to 37 C.F.R. § 41.37.

The Director is authorized to charge the \$500.00 fee for filing an Appeal Brief pursuant to 37 C.F.R. § 41.20(b)(2), as well as any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 033975 (Ref. No. 019287-0317296).

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Appeal Brief Under 37 C.F.R. § 41.37

I. Real Party in Interest

Computer Associates Think, Inc. owns the entire right, title, and interest to the present application. Accordingly, Computer Associates Think, Inc. is the real party in interest, although the recorded assignment indicates that Aprisma Management Technologies, Inc. is the present assignee of the application.

II. Related Appeals and Interferences

Appellant is not aware of any related appeals or interferences.

III. Status of Claims

Pending: Claims 1, 3-6, and 23-27 are pending.

Cancelled: Claims 2 and 22 are cancelled.

Withdrawn: Claims 7-21 are withdrawn from consideration.

Rejected: Claims 1, 3-6, and 23-27 stand rejected.

Allowed: No claims have been allowed.

On Appeal: Claims 1, 3-6, and 23-27 are appealed.

IV. Status of Amendments

No amendments to the claims have been filed subsequent to the Final Office Action dated June 1, 2006 (hereinafter "Final Action").

V. Summary of Claimed Subject Matter

The following exemplary citations to the Specification and/or drawing figures are not exclusive, as other examples of support for claimed subject matter exist. As such, the following citations should not be viewed as limiting.

Independent Claim 1

Claim 1 recites a method for managing network services associated with a service level management domain (e.g., Specification at 3, lines 1-5; 4, lines 8-16). Service level management may be provided by a plurality of monitoring agents monitoring operational characteristics of a network service associated with a service level management domain(e.g., Specification at 3, lines 6-18; 21, line 9 – 23, line 4). The network service may support one or more business processes under service level management (e.g., Specification at 19, lines 26-30; 20, lines 11-18).

Each monitoring agent may detect events of a select type of the associated operational characteristics from the network service and map such events into alarms (e.g., Specification at 47, line 18 – 48, line 15). The alarms may be transmitted from the plurality of monitoring agents to an alarm correlation agent (e.g., Specification at 48, lines 6-8, 11-13, and 19-20).

The alarm correlation agent may analyze the alarms to produce correlated alarms (e.g., Specification at 48, lines 6-8, 11-13, 19-20), and the correlated alarms may be transmitted to an enterprise management system (e.g., Specification at 48, lines 21-23). The enterprise management system may analyze causes of the correlated alarms across a network (e.g., Specification at 48, lines 23-24). As such, the alarms and the correlated alarms may indicate a degradation in service level or potential degradation in service level (e.g., Specification at 26, lines 11-15).

Independent Claim 23

Claim 23 recites a method for monitoring a business process having at least one service associated with a service level management domain (e.g., Specification at 3, lines 1-5; 4, lines 8-16). Service level management may be provided by an entity performing the business process (e.g., Specification at 19, lines 26-30; 32, lines 16-30). The service may have a predefined state, expressed as a range of values representing a grade of service (e.g., Specification at 20, lines 11-18).

Data may be collected on one or more resources of a network associated with the service level management domain (e.g., Specification at 34, line 12 – 35, line 24). The network

may be capable of performing one or more functions to provide the entity with a service to allow the entity to perform the business process (*e.g.*, Specification at 33, lines 1-29).

One or more parameters from the collected data may be monitored, where the one or more parameters may provide an indication of an operational characteristic of the service provided by the network (*e.g.*, Specification at 35, line 26 – 37, line 2; 47, line 18 – 48, line 15). A value in the range of values may be determined from the operational characteristic (*e.g.*, Specification at 60, line 1 – 61, line 25). The value may be a performance index of the grade of the service associated with the service level management domain (*e.g.*, Specification at 16, line 27 – 65, line 7). The value may be monitored to provide service level management for the entity performing the business process (*e.g.*, Specification at 65, lines 9-28).

Independent Claim 27

Claim 27 recites a method for providing an entity with service level management of a business process (*e.g.*, Specification at 3, lines 1-5; 4, lines 8-16). The method may provide service level management for an entity performing a business process by monitoring a business process having at least one service associated with a service level management domain (*e.g.*, Specification at 19, lines 26-30; 32, lines 16-30). The service may have a predefined state expressed as a range of values (*e.g.*, Specification at 20, lines 11-18).

Data may be collected on one or more resources of a network associated with the service level management domain (*e.g.*, Specification at 34, line 12 – 35, line 24). The network may be capable of performing one or more functions to provide the entity with a service to allow the entity to perform the business process (*e.g.*, Specification at 33, lines 1-29).

One or more parameters from the collected data may be monitored, where the one or more parameters may provide an indication of an operational characteristic of the service provided by the network (*e.g.*, Specification at 35, line 26 – 37, line 2; 47, line 18 – 48, line 15). A value from the range of values may be determined from the operational characteristic (*e.g.*, Specification at 60, line 1 – 61, line 25). The value may be a performance index of the service associated with the service level management domain (*e.g.*, Specification at 16, line 27 – 65, line 7).

The value may indicate one of an acceptable state of the service, an unacceptable state of the service, or an imminent change from an acceptable state to an unacceptable state of the service (e.g., Specification at 58, line 14 – 61, line 25). Accordingly, an action may be taken to effect a change to the one or more parameters if the value indicates either the unacceptable state of the service or the imminent change in the state of the service (e.g., Specification at 48, lines 23-28).

VI. Grounds of Rejection to be Reviewed on Appeal

(1) The Examiner has rejected claims 1, 23-24, and 26-27 under 35 U.S.C. § 103 as allegedly being unpatentable over U.S. Patent No. 6,108,700 to Maccabee (“Maccabee”) in view of U.S. Patent No. 6,356,282 to Roytman et al. (“Roytman”), and further in view of U.S. Patent No. 6,314,103 to Medhat et al. (“Medhat”). Final Action at 2-6.

(2) The Examiner has rejected claims 3-6 under 35 U.S.C. § 103 as allegedly being unpatentable over Maccabee, Roytman, and Medhat as applied to claim 1, and further in view of U.S. Patent No. 6,230,203 to Koperda et al. (“Koperda”). Final Action at 6-9.

(3) The Examiner has rejected claim 25 under 35 U.S.C. § 103 as allegedly being unpatentable over Maccabee and Roytman as applied to claim 23, and further in view of U.S. Patent No. 6,304,892 to Bhoj et al. (“Bhoj”). Final Action at 9.

VII. Argument

In order to establish a *prima facie* case of obviousness, the references relied upon, either individually or when combined, must teach or suggest every feature of the claimed invention. *Oetiker*, 977 F.2d at 1445, 24 U.S.P.Q.2d at 1444. Furthermore, there must be a teaching, suggestion, or motivation to combine the references in the manner claimed. *In re Kotzab*, 217 F.3d 1365, 1371, 55 U.S.P.Q.2d 1313, 1318 (Fed. Cir. 2000); *see also In re Rouffet*, 149 F.3d 1350, 1359, 47 U.S.P.Q.2d 1453, 1457-58 (Fed. Cir. 1998).

The rejections of claims 1, 3-6, and 23-27 under 35 U.S.C. § 103 are improper, and should be reversed, for at least the reason that the Examiner has failed to establish a *prima facie* case of obviousness. In particular, the references relied upon, either alone or in

combination, fail to teach or suggest all the features of the claimed invention. Furthermore, the Examiner has failed to establish a legally proper teaching, suggestion, or motivation to combine the references in the manner alleged. For at least these reasons, the rejections are improper, and should be reversed.

A. The References Relied Upon, Either Alone or in Combination, Fail to Teach or Suggest Every Feature of the Claimed Invention.

To establish a *prima facie* case of obviousness, the references relied upon, either individually or when combined, must teach or suggest every feature of the claimed invention. *Oetiker*, 977 F.2d at 1445, 24 U.S.P.Q.2d at 1444. For at least the reason that the references relied upon by the Examiner fail to teach or suggest all the features of the claimed invention, either alone or in combination, the rejections are improper and should be reversed.

1. Claims 1 and 3-6

The Examiner has rejected claim 1 under 35 U.S.C. § 103 as allegedly being unpatentable over Maccabee in view of Roytman, and further in view of Medhat; and claims 3-6 under 35 U.S.C. § 103 as allegedly being unpatentable over Maccabee, Roytman, and Medhat as applied to claim 1, and further in view of Koperda. Final Action at 2-9. These rejections are improper, and should be reversed, for at least the reason that the Examiner has failed to establish a *prima facie* case of obviousness, as the references relied upon, either alone or in combination, do not teach or suggest every feature of the claimed invention.

In particular, the references relied upon, either alone or in combination, fail to teach or suggest at least the feature of “detecting events . . . and mapping such events into alarms,” as recited in claim 1, for example. The Examiner alleges that Maccabee teaches this feature at col. 7, lines 37-60. Final Action at 2-3. The cited portions of Maccabee relate to monitoring hardware and software components to generate events, and subsequently correlating the events to form transactions (col. 7, lines 37-60). A “transaction,” as used in Maccabee, includes various processing stages associated with an application, such as system directives and responses (e.g., col. 4, lines 23-46). As such, Maccabee does not teach or suggest “mapping . . . events into alarms” for at least the reason that “transactions” are different from “alarms.”

For example, in Appellant's invention, as recited in claim 1, "mapping . . . events into alarms" includes "detecting events of a select type" and "mapping such events into alarms." Assuming *arguendo* that Maccabee teaches event "mapping," Maccabee teaches mapping events into transactions. As would be apparent to one of ordinary skill in the art, "transactions" and "alarms" represent different things. For instance, a "transaction" represents a series of processing stages associated with a task, request, application, etc., whereas an "alarm" is based on an operational characteristic of a network resource. The Examiner has failed to establish that Maccabee teaches or suggests "transactions" being the same as "alarms." Roytman and Medhat fail to cure these deficiencies of Maccabee. For at least this reason, the rejection is improper.

In addition, the references relied upon, either alone or in combination, fail to teach or suggest at least the feature of "transmitting the alarms . . . to an alarm correlation agent, which analyzes the alarms to produce correlated alarms," as recited in claim 1, for example. The Examiner alleges that Maccabee teaches this feature at col. 7, line 61 – col. 8, line 26. More particularly, the Examiner alleges by correlating events into transactions, Maccabee teaches "analyz[ing] the alarms to produce correlated alarms" because events sometimes include "additional correlation data useful for later associating the event with other events to form transactions." Final Action at 3, paragraph 6.

Following the Examiner's reasoning, which alleges that "transactions" are the same as "alarms," Maccabee would have to describe a system that analyzes the transactions to produce "correlated" transactions. However, Maccabee fails to teach or suggest analyzing transactions or correlating transactions to produce correlated transactions. Rather, Maccabee only analyzes events to form transactions.

In response to Appellant's previous arguments addressing this issue, the Examiner alleges that "Maccabee teaches subsequent analysis of alarms" because Maccabee discusses events including "correlation data subsequently used by the system to associate the event with other events into transactions." Final Action at 10. The relied upon portions of Maccabee are unequivocally related to analyzing and associating events, not to correlating transactions or "alarms." For at least this reason, the rejection is improper.

The Examiner also alleges that Roytman teaches “transmitting the alarms . . . to an alarm correlation agent, which analyzes the alarms to produce correlated alarms” at col. 5, lines 13-55. However, the cited portions of Roytman merely relate to monitoring the state of various devices using an agent program (col. 2, lines 14-23). Even assuming *arguendo* that Roytman teaches generating alarms, Roytman nonetheless fails to teach or suggest an alarm correlation agent, which analyzes the alarms to produce correlated alarms,” as recited in claim 1. Rather, Roytman logs alarms in a database and displays the alarms for an operator to view (col. 6, line 53 – col. 7, line 21). However, Roytman does not teach or suggest “transmitting the alarms . . . to an alarm correlation agent, which analyzes the alarms to produce correlated alarms,” as recited in claim 1. Medhat fails to cure these deficiencies of Maccabee and Roytman. For at least this reason, the rejection is improper.

The references relied upon, either alone or in combination, also fail to teach or suggest at least the feature of “transmitting the correlated alarms to an enterprise management system to analyze, across a network, causes of the correlated alarms,” as recited in claim 1, for example. The Examiner alleges that Roytman teaches this feature at col. 2, lines 34-51. However, the cited passage relates to a module that “maps each managed-object-based alarm to a corresponding node in a topology database.”

The Examiner’s allegation that the cited passage teaches a “system to analyze . . . causes of the correlated alarms” is unsupported. Mapping an alarm to a node in a database does not teach or suggest analyzing a cause of the alarm. Rather, Roytman indicates that “alarm records . . . include other information helpful to network management personnel in identifying the cause of the alarm” (col. 7, lines 1-5). The possibility of human personnel independently identifying alarm causes does not fairly teach or suggest “an enterprise management system to analyze, across a network, causes of the correlated alarms.” Maccabee and Medhat fail to cure these deficiencies of Roytman. For at least this reason, the rejection is improper.

For at least the foregoing reasons, the rejection of claim 1 should be reversed because the references relied upon, either alone or in combination, fail to teach or suggest all the features of claim 1. Claims 3-6 depend from and add features to claim 1. Koperda fails to cure the deficiencies of the references relied upon with respect to claim 1. Thus, the rejections of

these claims are likewise improper and should be reversed for at least the same reasons as discussed above.

2. Claims 23-27

The Examiner has rejected claims 23-24 and 26-27 under 35 U.S.C. § 103 as allegedly being unpatentable over Maccabee in view of Roytman, and further in view of Medhat. Final Action at 2-6. The Examiner has rejected claim 25 under 35 U.S.C. § 103 as allegedly being unpatentable over Maccabee, Roytman, and Medhat as applied to claim 23, and further in view of Bhoj. Final Action at 9. These rejections are improper, and should be reversed, for at least the reason that the Examiner has failed to establish a *prima facie* case of obviousness. More particularly, the references relied upon, either alone or in combination, do not teach or suggest every feature of the claimed invention.

More particularly, the references relied upon, either alone or in combination, fail to teach or suggest at least the feature of “determining from the operational characteristics a value in the range of values, the value being a performance index of the grade of the service associated with the service level management domain,” as recited in claims 23 and 27, for example. The Examiner alleges that Roytman teaches this feature at col. 5, lines 13-55; col. 7, lines 46-65. The cited portions of Roytman relate to displaying a perceived alarm severity in a window, but the cited portions do not teach or suggest “a value in the range of values, the value being a performance index of the grade of the service associated with the service level management domain,” as alleged by the Examiner.

In Appellant’s invention, as recited in claims 23 and 27, a service has “a predefined state expressed as a range of values representing a grade of service.” A “performance index of the grade of the service” may be represented by “a value in the range of values,” determined from “one or more parameters providing an indication of an operational characteristic of the service provided by the network.” As is apparent from the claim language, the parameters indicating operational characteristics of network resources are distinct from the performance index indicating a grade of the service.

By contrast, Roytman displays perceived alarm severities, which represent “an attribute of each alarm, indicating the seriousness of the problem which caused the alarm. Each alarm is assigned one of a predetermined number of severity levels” (col. 7, lines 54-65). Assuming *arguendo* that such severity levels correspond to “an operational characteristic of the service,” Roytman fails to teach or suggest “determining from the operational characteristic a value in the range of values,” as recited in claims 23 and 27. Rather, Roytman displays the severity levels in a window for an operator to view (col. 7, lines 54-65), without “determining from the operational characteristic a value . . . being a performance index of the grade of the service associated with the service level management domain.” In other words, Roytman deals with the severity or characteristics of the alarm itself, not the relation between the alarm severity and “a performance index of the grade of the service.” Medhat fails to cure these deficiencies of Maccabee and Roytman. For at least this reason, the rejection is improper.

For at least the foregoing reasons, the rejection of claims 23 and 27 should be reversed because the references relied upon, either alone or in combination, fail to teach or suggest all the features of claims 23 and 27. Claims 24-26 depend from and add features to claim 23. Bhoj fails to cure the deficiencies of the references relied upon with respect to claim 23. Thus, the rejections of these claims are likewise improper and should be reversed for at least the same reasons as discussed above.

B. The Examiner has Failed to Establish a Legally Proper Teaching, Suggestion, or Motivation to Combine the References.

In an obviousness rejection based on a combination of references, the Examiner must establish a legally proper teaching, suggestion, or motivation to combine the references. *In re Kahn*, 441 F.3d 977, 986, 78 U.S.P.Q.2d 1329, 1335 (Fed. Cir. 2006). The teaching, suggestion, or motivation can be drawn from the express teachings of the references, the general knowledge of one skilled in the art, or the nature of the problem to be solved. *In re Rouffet*, 149 F.3d 1350, 1357, 47 U.S.P.Q.2d 1453, 1457 (Fed. Cir. 1998). For at least the reason that the Examiner has failed to establish a proper teaching, suggestion, or motivation to combine Maccabee with Roytman, the rejections based thereon are improper and should be reversed.

The Examiner alleges that it would have been obvious “to combine Roytman with Maccabee because utilizing a function that analyzes information across a network and the causes of the correlated alarms could isolate specific areas that are malfunctioning . . . and have the network reroute information to other areas that are not affected so to lower latency in the system.” Final Action at 3. Apparently, the Examiner relies on alleged teachings in Roytman that relate to analyzing network information and determining alarm causes. Further, the Examiner appears to rely on alleged teachings in Roytman that relate to reducing system latency by rerouting network information. The Examiner’s basis for combining Maccabee with Roytman is legally improper because, contrary to the Examiner’s assertions, Roytman does not teach or suggest determining alarm causes, isolating malfunctioning areas, or rerouting network information to reduce latency.

Roytman apparently relates to an alarm manager display having two modes of operation (Abstract, “The alarm manager display in a distributed network management system is arranged to have two modes of operation”). The two display modes alternatively scroll or do not scroll as events occur (col. 3, lines 46-55). Accordingly, Roytman appears to be primarily directed to a user interface having a controllable scroll bar applied to the context of network management. The user interface therefore includes various features for viewing events. However, Roytman does not teach or suggest correlating events or alarms, determining alarm causes, isolating malfunctioning areas, or rerouting network data, as alleged by the Examiner. At best, Roytman relates to customizing a display mode of a user interface to allow an operator to view event or alarm information. Roytman addresses the problem of alarm displays because in “a busy system, it is impossible to click fast enough to see all events” (col. 3, lines 21-30).

For at least this reason, the Examiner has failed to establish a proper teaching, suggestion, or motivation to combine Maccabee with Roytman. For example, the Examiner alleges various reasons as the basis for the combination that are not supported by the references. Furthermore, Roytman addresses distinct problems from those addressed in Maccabee or the claimed invention. Accordingly, the combination of Maccabee with Roytman is improper. Therefore, the rejections of claims 1, 3-6, and 23-27 are improper and should be reversed.

VIII. Claims Appendix

The pending claims (claims 1, 3-6, and 23-27) are attached in **Appendix A**.

IX. Evidence Appendix

Appendix B: None.

X. Related Proceedings Appendix

Appendix C: None.

Conclusion

For at least the foregoing reasons, Appellant respectfully submits that the claims are allowable over the references relied upon by the Examiner. Therefore, reversal of the § 103 rejections is respectfully requested.

Date: January 3, 2008

Respectfully submitted,

By: _____

S. Jafar Ali
Registration No. 58,780

PILLSBURY WINTHROP SHAW PITTMAN LLP
P.O. Box 10500
McLean, Virginia 22102
Main: 703-770-7900
Fax: 703-770-7901

Appendix A: Claims Appendix

1. **(Previously Presented)** A method for managing network services associated with a service level management domain to provide service level management, the method comprising the steps of:

monitoring, by a plurality of monitoring agents, operational characteristics of a network service associated with a service level management domain and supporting one or more business processes under service level management, each monitoring agent detecting events of a select type of the associated operational characteristics from the network service and mapping such events into alarms;

transmitting the alarms from the plurality of monitoring agents to an alarm correlation agent, which analyzes the alarms to produce correlated alarms; and

transmitting the correlated alarms to an enterprise management system to analyze, across a network, causes of the correlated alarms;

whereby the alarms and the correlated alarms are indicative of a degradation in service level or potential degradation in service level.

2. **(Cancelled)**

3. **(Previously Presented)** The method according to claim 1, further comprising the steps of:

identifying one or more business processes under service level management depending on one or more of the network services associated with the service level management domain;

relating network components to the one or more network services, the monitoring agents monitoring the network components to obtain information representing operational data of the related network services;

determining a state of the business process under service level management based upon the component information, wherein the component information determines a measured

level of service and wherein the level of service affects the operation of the business process;
and

displaying service level management information regarding at least one of a group including availability, faults, configuration, integrity, security, reliability, performance and accounting of the measured level of service.

4. **(Previously Presented)** The method according to claim 3, further comprising determining service parameters to measure the level of service of the network services associated with the service level management domain and supporting the one or more business processes under service level management.

5. **(Original)** The method according to claim 4, further comprising representing the component information by one or more component parameters and wherein the component parameters are mapped into the service parameters.

6. **(Previously Presented)** The method according to claim 5, further comprising determining whether service levels are satisfied in accordance with a service level management agreement by comparing service parameters with predetermined service levels.

7. **(Withdrawn)** A method of multilevel, multidomain alarm-to-service mapping comprising:

(a) conducting intradomain event correlation at a first level, wherein:

input events are received by a monitor provided for each domain;

instructions provide control for each domain; and

input events are interpreted and correlated for each domain;

(b) conducting intradomain alarm-to-service mapping at a second level, wherein:

input events are received by a monitor provided for each domain; instructions provide control for each domain; and

input events are interpreted and correlated for each domain; and

- (c) conducting interdomain alarm correlation at a third level, wherein:
- input events are received by a monitor provided for each domain;
 - instructions provide control for each domain; and
 - input events are interpreted and correlated across multiple domains.
8. **(Withdrawn)** A multilevel architecture for service level management of a network, the architecture performing a method comprising:
- providing a reactive level for monitoring components in the network for providing service level management; and
 - providing a next higher level of a more deliberative decision-making for providing service level management.
9. **(Withdrawn)** The multilevel architecture according to claim 8, further comprising a step of providing a proactive level for monitoring components, wherein the proactive level provides automatic actions in response to monitored component data, the proactive level providing service level management operations for the network.
10. **(Withdrawn)** The multilevel architecture according to claim 8, further comprising receiving, by the reactive level, component parameters from the components, and relating the component parameters to one or more services that affect a business process.
11. **(Withdrawn)** The multilevel architecture according to claim 10, wherein the component parameters are related by at least one of a group of levels including the reactive level, next higher level, and proactive level.
12. **(Withdrawn)** A system for managing a network comprising:
- an agent operable to receive operational data from at least one component of the network, the at least one component being related to a service on which a business process depends; and

a correlator operable to determine a state of the business process based upon the operational data, wherein the operational data of the component determines a measured level of service and wherein the level of service affects the operation of the business process.

13. **(Withdrawn)** The system according to claim 12, further an interface that is configured to indicate to a user, information regarding at least one of a group including availability, faults, configuration, integrity, security, reliability, performance and accounting of the measured level of service.

14. **(Withdrawn)** The system according to claim 12, wherein the correlator monitors service parameters to determine the measured level of service.

15. **(Withdrawn)** The system according to claim 14, wherein the operational data are represented by one or more component parameters and wherein the component parameters are mapped into the service parameters.

16. **(Withdrawn)** The system according to claim 15, wherein the correlator determines whether service levels are satisfied by comparing service parameters with predetermined service levels.

17. **(Withdrawn)** A system for managing a network comprising:

one or more agents operable to receive operational data from at least one component of the network, the at least one component being related to a service on which a business process depends, wherein the agent is configured to determine a state of the business process based upon the operational data, wherein the operational data of the component determines a level of service, and wherein the level of service affects the operation of the business process.

18. **(Withdrawn)** The system according to claim 17, further comprising an interface that is configured to indicate to a user, information regarding at least one of a group including faults, configuration, security, accounting, and performance of the measured level of service.

19. **(Withdrawn)** The system according to claim 17, wherein the agent monitors service parameters to measure the level of service.

20. **(Withdrawn)** The system according to claim 19, wherein the operational data are represented by one or more component parameters and wherein the component parameters are mapped into the service parameters.

21. **(Withdrawn)** The system according to claim 20, wherein the agent determines whether service levels are satisfied by comparing service parameters with predetermined service levels.

22. **(Cancelled)**

23. **(Previously Presented)** A method for monitoring a business process having at least one service associated with a service level management domain to provide service level management for an entity performing the business process, the service having a predefined state expressed as a range of values representing a grade of service, the method comprising the steps of:

collecting data on one or more resources of a network associated with the service level management domain, the network being capable of performing one or more functions to provide the entity with a service to allow the entity to perform the business process;

monitoring one or more parameters from the collected data, the one or more parameters providing an indication of an operational characteristic of the service provided by the network;

determining from the operational characteristic a value in the range of values, the value being a performance index of the grade of the service associated with the service level management domain; and

monitoring the value to provide service level management for the entity performing the business process.

24. **(Previously Presented)** The method of claim 23, further comprising the step of determining a state of the business process from the value.

25. **(Previously Presented)** The method of claim 23, further comprising the steps of, determining a service level of the service, the service level being defined by a service level agreement; and
monitoring the service level of the service to monitor the business process.

26. **(Previously Presented)** The method of claim 23, wherein the service level management domain comprises, an enterprise network.

27. **(Previously Presented)** A method for providing an entity with service level management of a business process, the method comprising the steps of:

monitoring a business process having at least one service associated with a service level management domain to provide service level management for an entity performing a business process, the service having a predefined state expressed as a range of values;

collecting data on one or more resources of a network associated with the service level management domain, the network being capable of performing one or more functions to provide the entity with a service to allow the entity to perform the business process;

monitoring one or more parameters from the collected data, the one or more parameters providing an indication of an operational characteristic of the service provided by the network;

determining from the operational characteristic a value from the range of values, the value being a performance index of the service associated with the service-level management domain indicating one of an acceptable state of the service, an unacceptable state of the service, or an imminent change from an acceptable state to an unacceptable state of the service; and

taking an action to effect a change to the one or more parameters if the value indicates either the unacceptable state of the service or the imminent change in the state of the service.

Appendix B: Evidence Appendix

NONE

Appendix C: Related Proceedings Appendix

— NONE —